

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

INOAC INTERIOR SYSTEMS LLC,

Plaintiff,

Case No. 24-cv-11863

Hon. Matthew F. Leitman

v.

TASUS CORPORATION, *et al.*,

Defendants.

/

**ORDER GRANTING PLAINTIFF LEAVE
TO FILE A FIRST AMENDED COMPLAINT**

On June 14, 2024, Plaintiff INOAC Interior Systems LLC (“INOAC”) filed this breach of contract action against the Defendants in the Oakland County Circuit Court. (*See* Compl., ECF No. 1-1.) Defendants subsequently removed the action to this Court. (*See* Notice of Removal, ECF No. 1.)

Defendants Tsuchiya Group North America, Kreate Engineered Products LLC, and Findlay Machine & Tool LLC (collectively, the “Moving Defendants”) have now filed a motion for judgment on the pleadings pursuant to Federal Rule of Civil Procedure 12(c). (*See* Mot., ECF No. 7.) One of the bases for the motion is that INOAC has failed to plead sufficient facts to state viable claims under the Supreme Court’s decisions in *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009), and *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007). (*See, e.g., id.*, PageID.91-92.)

Without expressing any view regarding the merits of the motion, the Court will grant INOAC the opportunity to file a First Amended Complaint in order to remedy the alleged deficiencies in its allegations. The Court does not anticipate allowing INOAC another opportunity to amend to add factual allegations that it could now include in its First Amended Complaint. Simply put, this is INOAC's opportunity to amend its allegations to cure the alleged deficiencies in its claims.

By **September 10, 2024**, INOAC shall file a notice on the docket in this action notifying the Court and Defendants whether it will amend its Complaint. If INOAC provides notice that it will be filing a First Amended Complaint, it shall file that amended pleading by no later than **September 24, 2024**. If INOAC provides notice that it will not be filing a First Amended Complaint, it shall respond to the Moving Defendants' motion for judgment on the pleadings by no later than **September 24, 2024**.

Finally, if INOAC provides notice that it will be filing a First Amended Complaint, the Court will terminate without prejudice the Moving Defendants' currently-pending motion for judgment on the pleadings as moot. The Moving Defendants may file a renewed motion directed at the First Amended Complaint if they believe that such a motion is appropriate after reviewing that pleading.

IT IS SO ORDERED.

Dated: August 27, 2024

s/Matthew F. Leitman

MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 27, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

(313) 234-5126